

## **EXHIBIT 11**

REDACTED

**EXHIBIT 12**

# HOWREY<sup>LLP</sup>

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STEVEN YOVITS

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June 18, 2006

Cass W. Christenson, Esq.  
McKenna Long & Aldridge LLP  
1900 K Street, N.W.  
Washington, D.C. 20006

Re: LG Philips LCD Co., Ltd. V. Tatung Co., et al. (C.A. No. 05-292 JJF)

Dear Cass:

This responds to your e-mail of June 17, 2006. I disagree with the characterizations made in your e-mail. We have been asking you for two weeks to meet and confer regarding the topics for which LPL has refused to provide 30(b)(6) testimony. Your refusal of our request to meet and confer, combined with the fact that LPL has filed two motions to compel after refusing to meet and confer with defendants, makes it clear that LPL has adopted a strategy of refusing to meet and confer for some perceived gain. It is unfortunate that only the threat of an imminent motion to compel will motivate you to comply with Local Rule 7.1.1 by speaking with us.

LPL has refused to provide witnesses regarding topics 2, 5, 17 and 20 of defendants' amended notice of deposition. We are willing to set aside topic 20 for the time being (though we reserve the right to address this once we have had the opportunity to assess what is missing from LPL's other 30(b)(6) depositions). However, it is clear that there is an immediate need for testimony on topics 2, 5 and 17. These topics are highly relevant. Topic 2, which deals with LPL's implementations of the '002 patent, is highly relevant to the damages analysis. *See, e.g., Micro Chemical, Inc. v. Lextron, Inc.*, 318 F.3d 1119, 1124 (Fed. Cir. 2003). We need an LPL witness to testify regarding the ways in which LPL has implemented the supposed invention of the '002 patent. Topic 5, which deals with LPL's prior litigation involving the '002 patent, is also a highly relevant topic. *See, e.g., SanDisk Corp. v. Memorex Products, Inc.*, 415 F.3d 1278, 1290-91 (Fed. Cir. 2005). We need an LPL witness to testify regarding NEC's invalidity and non-infringement defenses, LPL's arguments against these defenses and the positions taken by the experts in the case. And it is axiomatic that topic 17, relating to non-infringing alternatives, is critical to the damages analysis. *See, e.g., Cordis Corp. v. Boston Scientific Corp.*, 2006 WL 760717 at \*2 (D. Del. 2006). Defendants are entitled to know about the non-infringing alternatives of which LPL is aware.

Time is growing short, and we cannot wait any longer than Monday, June 19 to meet and confer. Please let us know immediately what time you are available to speak on Monday. It has

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LOS ANGELES NORTHERN VIRGINIA PARIS SALT LAKE CITY SAN FRANCISCO TAIPEI WASHINGTON, DC

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Cass W. Christenson, Esq.

June 18, 2006

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also been almost a week since we asked you to meet and confer regarding deficiencies in Mr. Cho's deposition, Mr. Kim's deposition and LPL's document production relating to the Cobb & Associates report. We need to meet and confer on that on Monday as well. And finally, it has been almost a week since you promised to confer with Mr. Bono regarding the position that he took during Mr. Cho's deposition -- that it is not necessary to provide witnesses on topics to which the parties have objected. We need to meet and confer with you on Monday regarding that as well.

Very truly yours,

A handwritten signature in black ink, appearing to read "Steven Yovits", with a long horizontal flourish extending to the right.

Steven Yovits



## **EXHIBIT 13**

REDACTED

## **EXHIBIT 14**



REDACTED

## **EXHIBIT 15**

REDACTED

## **EXHIBIT 16**

**Yovits, Steven**

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**From:** Mollo, Adrian [amollo@mckennalong.com]  
**Sent:** Thursday, July 06, 2006 12:48 PM  
**To:** Yovits, Steven  
**Subject:** Re: Witnesses

Steve,

We accept your proposal. As its fact witnesses, LPL will call JS Kim and Ho Lee and may call Young Woo Cho and Jong Hwan Kim. As agreed, please send me today your list of will call witnesses and may call witnesses. Thanks,

Adrian

Adrian Mollo, Esq.  
McKenna Long & Aldridge LLP  
(202) 496-7441  
amollo@mckennalong.com  
(Out of office, message sent wirelessly)

----- Original Message -----

**From:** Yovits, Steven <YovitsS@howrey.com>  
**To:** Mollo, Adrian  
**Sent:** Thu Jul 06 11:04:22 2006  
**Subject:** RE: Witnesses

Adrian,  
We are willing to divide into will call and may call at this time.  
Please let me know if that is acceptable to you.  
Thanks,  
Steve

-----Original Message-----

**From:** Mollo, Adrian [mailto:amollo@mckennalong.com]  
**Sent:** Thursday, July 06, 2006 6:49 AM  
**To:** Yovits, Steven  
**Cc:** Mollo, Adrian  
**Subject:** Re: Witnesses

Steve, thanks for the proposal, and I will discuss with our team this morning. Perhaps we can resolve this issue before the pretrial conference. Just for clarification, regarding the list of witnesses Defendants plan to call live, would that be a list of the witnesses Defendants will call live, or more? If more than will call, will Defendants identify the witnesses as will call, may call, or unlikely to be called?

Regards,  
Adrian

Adrian Mollo, Esq.  
McKenna Long & Aldridge LLP  
(202) 496-7441  
amollo@mckennalong.com  
(Out of office, message sent wirelessly)

----- Original Message -----

**From:** Yovits, Steven <YovitsS@howrey.com>  
**To:** Mollo, Adrian  
**Sent:** Wed Jul 05 17:35:21 2006  
**Subject:** Witnesses

Dear Adrian,

In an effort to accommodate your request in part, we would be willing to give you a list of witnesses whom we plan to call live. We would expect in return that you will tell us which of the individuals on your list will be called live. Please let me know if that is acceptable to you.

Regards,  
Steve

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